

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 10-1448

PENNY K. YOHE,

Plaintiff - Appellant,

v.

COMMISSIONER OF SOCIAL SECURITY,

Defendant - Appellee,

and

SOCIAL SECURITY ADMINISTRATION,

Party-in-Interest.

Appeal from the United States District Court for the Northern
District of West Virginia, at Wheeling. Frederick P. Stamp,
Jr., Senior District Judge. (5:09-cv-00075-FPS-JES)

Submitted: February 23, 2011

Decided: March 14, 2011

Before WILKINSON, DUNCAN, and DAVIS, Circuit Judges.

Affirmed by unpublished per curiam opinion.

Timothy F. Cogan, CASSIDY MYERS COGAN & VOEGELIN, L.C.,
Wheeling, West Virginia, for Appellant. Eric Kressman, Regional
Chief Counsel, Maija Pelly, Acting Supervisory Attorney,
Philadelphia, Pennsylvania; Betsy C. Jividen, United States
Attorney, Helen Campbell Altmeyer, Assistant United States

Attorney, Nicole A. Schmid, Special Assistant United States
Attorney, Wheeling, West Virginia, for Appellee.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Penny K. Yohe appeals the district court's order accepting the recommendation of the magistrate judge, granting the Commissioner's motion for summary judgment and affirming the decision of the Commissioner to deny Yohe supplemental security income benefits. We have reviewed the record and find no reversible error. Accordingly, we affirm for the reasons stated by the district court. Yohe v. Comm'r of Soc. Sec., No. 5:09-cv-00075-FPS-JES (N.D. W. Va. Apr. 6, 2010). We dispense with oral argument because the facts and legal contentions are adequately presented in the materials before the court and argument would not aid the decisional process.

AFFIRMED